

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

**IOWA PREMIUM BEEF, LLC, and
TBI CAPITAL, LLC,**

Plaintiffs,

vs.

**GLOBAL LIFE CAPITAL, LLC,
ROD SPRAY, DANIEL L. BRUNE,
and JAMES NILES,**

Defendants.

No. C12-0039

**ORDER DENYING JOINT MOTION
TO EXTEND DEADLINE**

This matter comes before the Court on the Motion (docket number 28) filed by the parties on August 2, 2012. The parties ask that the deadline for submitting a proposed scheduling order and discovery plan be extended until 14 days after the Court rules on a pending motion to dismiss.

This case was initiated with the filing of a complaint on April 4, 2012. Pursuant to Local Rule 16.a, the parties were required to submit a proposed scheduling order and discovery plan not later than August 2, 2012. On June 4, 2012, Defendants filed a motion to dismiss the complaint or, alternatively, compel arbitration. Briefing on the motion was completed on July 17 and the motion remains pending. On August 2 – the deadline for submitting a proposed scheduling order and discovery plan – the parties filed the instant motion seeking an extension.

When an act must be done within a specified time, the Court may, for good cause, extend the time. FED. R. CIV. P. 6(b)(1). Here, the parties assert that good cause exists for the extension due to the pending motion to dismiss. The Court concludes that the pendency of pretrial motions, including motions to dismiss, does not constitute good cause for an extension of pretrial deadlines. Accordingly, the motion will be denied.

ORDER

IT IS THEREFORE ORDERED that the Motion to Extend Deadline (docket number 28) filed by the parties is **DENIED**. The parties must submit a proposed scheduling order and discovery plan not later than **August 9, 2012**.

DATED this 3rd day of August, 2012.



JON STUART SCOLES
CHIEF MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA